

May 09, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSEPH RAYMOND PERRY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:17-CV-03174-RHW

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

Before the Court is a Stipulated Motion for Remand in which the parties jointly move the Court to remand for further administrative proceedings. ECF No. 12. Based on the agreement of the parties and the record, the Court finds good cause to grant the motion.

The Commissioner's decision to deny Plaintiff's applications for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act is **REVERSED** and **REMANDED** for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the administrative law judge shall: (1) reevaluate Plaintiff's subjective complaints; (2) as necessary, reassess the medical evidence, the lay witness evidence, the claimant's residual functional capacity, and the claimant's ability to perform past relevant work and/or

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1 other work; (3) take any other actions necessary to develop the record; (4) give the
2 claimant an opportunity for a new hearing; and (5) issue a new decision.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The parties' Stipulated Motion for Remand, **ECF No. 12**, is **GRANTED**.
5 2. The Commissioner's decision is **REVERSED** and this matter is
6 **REMANDED** for further administrative proceedings consistent with this order.

7 3. All pending motions in this matter are now moot.

8 4. Reasonable attorney fees may be awarded under 28 U.S.C. § 2412 and/or
9 28 U.S.C. § 1920, upon proper request to the Court.

10 5. The District Court Executive shall enter judgment for the Plaintiff and
11 against Defendant.

12 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
13 Order, forward copies to counsel, and **close the file**.

14 **DATED** this 9th day of May, 2018.

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16 *s/Robert H. Whaley*
17 ROBERT H. WHALEY
18 Senior United States District Judge
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